

IN THE HAMILTON SUPERIOR COURT

CAUSE NO. 29D03-0401-TR-0009

)  
)  
)  
)

)

)

)

)
)
)
)

)

**MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiff State of Indiana, ex rel. Steve Carter, Attorney General of Indiana, moves this Court for the entry of partial summary judgment against Defendant Earlham College on the claim in the petition requesting that the defendant be compelled to provide a verified written statement of account for the period of 1964 to the present with regard to approximately 58 acres of land including the William Conner House and its outbuildings which is indisputably a public charitable trust with Earlham acting as trustee. Plaintiff bases this motion on the ground that no genuine issue as to any material fact exists and plaintiff is accordingly entitled to judgment as a matter of law. In support of its Motion for Partial Summary Judgment, plaintiff files contemporaneously with this Motion its

Memorandum in Support of Motion for Partial Summary Judgment and Designation of  
Evidence relied upon in support of Motion for Partial Summary Judgment.

LOCKE REYNOLDS LLP

BY: \_\_\_\_\_

Thomas E. Satrom  
Locke Reynolds LLP  
Attorney Number 20745-49  
Attorneys for Plaintiff State of  
Indiana

CERTIFICATE OF SERVICE

Service of the foregoing was made by placing a copy of the same into the United States Mail, first class postage prepaid, this 29th day of April, 2004, addressed to:

Lee B. McTurnan (courtesy copy by facsimile)  
Steven M. Badger  
Cynthia A. Bedrick  
McTurnan & Turner  
2400 Market Tower  
10 W. Market St.  
Indianapolis, IN 46204

John D. Profitt  
William E. Wending, Jr.  
Campbell Kyle Proffitt LLP  
650 E. Carmel Drive, #400  
Carmel, IN 46032

---

LOCKE REYNOLDS LLP  
201 North Illinois Street, Suite 1000  
P.O. Box 44961  
Indianapolis, IN 46244-0961  
317-237-3800

656118\_1